UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/360,399	07/23/1999	PERRY A. CARO	07844/303001	4121

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HUYNH, CONG LAC T

ART UNIT	PAPER NUMBER
2178	

DATE MAILED: 08/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/360,399	CARO ET AL.
	Examiner	Art Unit
	Cong-Lac Huynh	2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _05 July 2005_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-49 and 51-55_ is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) _1-11,19,20,45-49 and 54-55_ is/are allowed.

6)☐ Claim(s) _12-18,21-44,51 and 52_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some *   c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to communications: amendment after final filed 7/5/05

to the application filed on 7/23/99.

2.   Claims 1-49, 51-55 are pending in the case. Claims 1, 3, 12, 19-21, 27, 34, 40,

45, 50, 51, 53-55 are independent claims.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

5.   Claims 12-18, 21-44, 53 remain rejected under 35 U.S.C. 103(a) as being

unpatentable over Ferrel et al. (US Pat No. 6,199,082 B1, 3/6/01, filed 7/17/95).

Regarding independent claim 12, Ferrel discloses:

- creating individual content elements for use in documents (figure 1, #112, #114,

    #118; col 5, lines 29-41: "… the author can create the content objects"; col 11,

    lines 14-20: "returning to the creation of title layouts and content by the publisher;

    it is obvious that the content objects are individual content objects)

- storing the individual content elements in a format native to the application

    program (col 8, lines 15-20; col 11, lines 14-20, 45-62: "after creation, the title

    layouts 110, 116 and contents 112, 114, 118 are released and *stored in a*

    publication storage 120. The storage 120 can be implemented in many forms,

    such as a network 122, CD-ROM 124, and other means of storage, such as

    bulletin boards, magnetic media, cable television and so forth", "the title layouts

    and/or content are preferably stored in a network 122 that includes a high-

    performance server for hosting on-line application"; the fact that the contents are

    stored in the network 122 that includes a high-performance server for hosting on-

    line application suggests that the format of the contents when storing is <u>native</u> in

    the on-line application so that the stored contents can be understandable by the

    application)

- forming a content portfolio, based on the stored content elements by storing

    unique binding names associated with respective content elements and the

layout portfolio storing individual layout elements (figure 4: content folders #292,

#296, #298, #304, #308 for storing content elements, title folders #294, #300,

#306 for storing layouts; the fact that each project has *content folders and title*

folders that include content and layout for generating different documents

suggest that each content element have an unique name for conveniently calling

the content elements in associating with the layout elements)

- the binding specification for generating hypermedia documents based on the

individual page layouts and the individual content (figure 1, col 10, lines 31-63:

using the stored content, the stored layout in each title such as title A .. title P

where a title is to *describe the overall plan or instructions for assembling the*

complete on-line multimedia publishing, where the instructions or the overall plan

for assembling a multimedia document is equivalent to a binding specification)

Ferrel does not explicitly disclose storing information with each of the contents that aids

a formatter in generating document based on a binding specification, the individual

content elements and individual on layout elements stored in a layout portfolio.

However, it would have been obvious to one of ordinary skill in the art at the time of the

invention was made to have modified Ferrel to include storing information with each of

the contents that aids a formatter in generating document based on a binding

specification, the individual content elements and on individual layout elements stored in

a layout portfolio for the following reason. Ferrel does teach the binding specification for

generating documents based on the individual page layouts and the individual content

(figure 1, col 10, lines 31-63: using the stored content, the stored layout in each title

such as title A .. title P where a title is to describe *the instructions for assembling the complete on-line multimedia* publishing, where the instructions for assembling a multimedia document is equivalent to a binding specification). Since it was well known in the art that storing must be performed whenever generating a document, storing information with each of the contents that aids a formatter in generating documents would have been obvious to be combined to Ferrel to keep generated data for later use.

Regarding claim 13, which is dependent on claim 12, Ferrel discloses that the information that aides the formatter comprises attributes associated with the content elements (col 8, lines 30-48: "... the designer creates projects with design and content *information* ...within each section are pages that define the information that is displayed to a single screen", the information is considered as attributes associated with the content for linking the content and the layout of a document; col 18, lines 31-45: the *information needed to build* and distribute *one or more title and any associated content* included in the project C shows the claimed attributes since this information is for building the title and the associated content).

Regarding claim 14, which is dependent on claim 12, Ferrel discloses that storing binding specification which refers to the content elements (figure 1: title A, title B, ...title P are binding specifications which refer to content 148, content 152, content 156; col 10, lines 31-63: using the stored content, the stored layout in each title such as title A .. title P where a title is to describe *the instructions for assembling the complete on-line*

multimedia publishing, where the instructions for assembling a multimedia document is

equivalent to a binding specification).

Regarding claim 15, which is dependent on claim 12, Ferrel discloses that forming of

the content portfolio also comprises storing implementation specific properties (col 28,

lines 49-57: the project object represents the entire contents of the project and has

properties representing where the project's content are released to; col 18, line 53 to col

19, line 17: the Properties option from the menu for editing the content objects implies

that the properties of content objects are stored, and the creation of content projects

inherently shows forming a content portfolio based on the created content objects).

Regarding claim 16, which is dependent on claim 12, Ferrel discloses that forming of

the content portfolio also comprises storing portfolio-specific attributes (col 32, lines 37-

61: the content folder which is considered as a content portfolio comprises two types of

content objects Stories and Pictures with specific attributes).

Regarding claim 17, which is dependent on claim 12, Ferrel discloses that forming of

the content portfolio also comprises storing a list of binding sites of elements belonging

to the content portfolio (col 32, lines 37-61: the fact that the content folders are

containers for titles and for story objects implies that the container contain a list of the

names of these objects).

Regarding claim 18, which is dependent on claim 12, Ferrel discloses that forming of

the content portfolio also comprises storing a list of groups of content elements

belonging to the content portfolio (col 32, lines 37-61: the fact that the content folder

comprises two types of content objects Stories and Pictures implies that the content

folder comprise a list of two groups of content elements belonging to the content

portfolio and stored in the memory).

Claims 21-26 are for a medium for storing a machine-readable program of method

claims 12-13, 15-18, and are rejected under the same rationale.

Independent claim 27 includes the same limitations as in independent claim 12 but for

layout elements instead of content elements. Ferrel discloses that the layouts and

contents for generating documents are stored separately where the layouts are stored

in title folders (col 10, line 3 to col 11, line 20; figure 4; col 15, line 44 to col 16, line 13).

This inherently shows that Ferrel include the same features of layout elements needed

for generating documents as disclosed for content element case.

Claims 28-33 include the same limitations as in claims 13-18 but for layout elements

instead of content elements, and are rejected under the same rationale and under the

same argument as mentioned in claim 27.

Claims 34-39 are for a medium of method claims 27-33, and are rejected under the

same rationale.

Regarding independent claim 40, Ferrel discloses creating a binding specification for

use in formatting documents based on the binding specification, the content elements

referenced by the binding specification and the layout elements referenced by the

binding specification (figure 1, col 10, lines 31-63: title A, title B, ... title P include the

specific layout and the specific content for formatting different documents for different

customers, using the stored content, the stored layout in each title such as title A .. title

P where a title is to describe *the instructions for assembling the complete on-line*

multimedia publishing, where the instructions for assembling a multimedia document is

equivalent to a binding specification).

Ferrel does not does not explicitly disclose storing in the binding specification global

bindings and direct bindings that aid the formatter in formatting documents.

Instead Ferrel discloses that the publisher can place the content, such as *a set of*

content objects in one or more containers of a title and then create sections or

subsections having pages with special controls, such as a set of title layout objects that

dynamically find and display the content at run-time (col 10, lines 31-67). The style

sheet object included in the layout has a *globally unique identifier GUID* that can be

used to identify an object with a unique string of characters where the control for

controlling the link between the layout and the content of a document keeps a record of

a GUID associated with its linked style sheet (col 23, lines 48-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Ferrel to incorporate storing the global bindings and the direct bindings in the binding specification into Ferrel for the following reason.

It was well known in the art that storing must be performed whenever data is generated. Therefore, storing global bindings and direct binding would have been obvious to be combined to Ferrel to identify each style sheet with the content as well as controlling the link between the layout and the content of a document based on the placement indicating how to link a content to a layout.

Regarding claim 41, which is dependent on claim 40, Ferrel does not disclose explicitly that the global bindings include a list of element bindings that define a default binding for elements of a specified type. However, Ferrel does teach that the style sheet objects are stored in the cache object store COS under the GUID as mentioned in claim 40 (col 23, lines 25-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Ferrel to include a list of element bindings that define a default binding for elements of a specified type since storing of style objects by object identifiers suggests a list of default element bindings for a specified type of style sheet.

Regarding claim 42, which is dependent on claim 41, Ferrel discloses that the global bindings include a list of model bindings that define a default model for a specified binding site (figure 4 and col 15, line 44 to col 16, line 13: the container of publishers

which contain a plurality of publishers including projects which are predefined binding of

title folders and content folders is considered as a list of model bindings that define a

default model for a specified binding site).

Regarding claim 43, which is dependent on claim 40, Ferrel discloses that the binding

specification contains composition sequences that aid the formatter in formatting

documents, the composition sequences defining the order in which formatting is to

proceed using bindings between content elements and layout elements, each of the

composition sequences including composition blocks containing ordered lists of direct

bindings (**col 8, lines 30-38**: the design and content information in each project is

considered as composition sequences since said information is the sequences of text

data; **col 10, lines 31-67**: the publisher can place the content, such as a set of content

objects in one or more containers of a title and then *create sections or subsections*

having pages with special controls, such as a set of title layout objects that dynamically

find and display the content at run-time). The *sections and subsections* with special

controls indicates that the *component blocks of ordered list* of controls are considered to

by equivalent to direct bindings since sections and subsections are ordered blocks of

data.

Regarding claim 44, which is dependent on claim 43, Ferrel discloses that each of the

direct bindings comprises a placement binding or a style binding (col 8, lines 39-64:the

content has been formatted within the pre-defined control region of the page, the control

knows how to format a particular piece of content by looking at the style that has been

defined by the designer and then compares that style to a linked style sheet).

Claim 53 is for a medium of method claim 12, and is rejected under the same rationale.

Claim Rejections - 35 USC § 102

6.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7.   Claims 51-52 are rejected under 35 U.S.C. 102(e) as being anticipated by Ferrel

et al. (US Pat No. 6,199,082 B1, 3/6/01, filed 7/17/95).

Regarding independent claim 51, Ferrel discloses a method of formatting a document

using stored content elements, stored layout elements, and *a binding specification*, the

stored content elements including content aspects and layout aspect, the method

comprising determining whether the layout should be dominated by the layout

components or the layout aspects of the content components (**figure 1, col 10, lines**

31-63: using the stored content, the stored layout in each title such as title A .. title P

where a title is to describe *the instructions for assembling the complete on-line*

multimedia publishing, where the instructions for assembling a multimedia document is equivalent to a binding specification; **col 8, lines 15-29**: "the content and the design are stored as separate objects in the public distribution site so that *many different pieces of content* can *be viewed with the same appearance*; **col 10, lines 37-63**: a layout can be used for binding with a content where the content can be updated; col 8, lines 49-64: "one important facet of this invention is the concept of viewing the same content objects in many different ways ...different controls on the same page can each displays the same linked content in varying formats"; **col 8, line 65 to col 9, line 7**:*a content* can be displayed by *different styles* chosen by the designer to change the style; the fact that some of the bindings are **layout-centric** and some of the bindings are **content-centric** indicates determining the layout domination or the content domination in formatting a document using stored content elements and stored layout elements).

Regarding claim 52, which is dependent on claim 51, Ferrel discloses that the content elements include layout aspects and the bindings contain information sufficient to mediate a conflict between a layout aspect of a content element and a layout element with which the content element is associated (col 8, lines 15-64: the fact that the control knows how to format a particular piece of content by *looking at the style defined* and then *comparing* that style to a linked style sheet inherently shows a mediation of conflict between the layout aspect of the content and a layout element with which the content element is associated).

Allowable Subject Matter

8.   The following claims 1, 3, 19-20 drafted by the examiner and considered to

distinguish patentably over the art of record in this application, are presented to

applicant for consideration:

Claim 1:

A machine-based method comprising:

-   enabling storage of a binding specification that describes a document by

    associating individual content elements with individual layout elements for the

    document, the layout elements defining layout features or placement information

    to be applied to the associated content elements,

-   combining the content elements and the layout elements according to at least

    one binding included in the binding specification to generate the document based

    on the binding specification, the content elements and the layout elements,

    where the binding specification is stored separately from both the content and the

    layout elements.

Claim 3:

A machine-based method comprising:

-   enabling storage of a binding specification including at least one binding, the

    binding specification describing a document by associating individual content

    elements with individual layout elements for each document, the layout elements

defining layout features or placement information to be applied to the associated
content elements,

- combining the content elements and the layout elements according to at least
one binding included in the binding specification to generate the document based
on the binding specification, the content elements and the layout elements,

- enabling storage of a different binding specification including at least one binding,
the different binding specification describing another, different document by
associating at least one of the individual content elements with at least one of the
individual layout elements, the at least one layout elements defining layout
features or placement information to be applied to the corresponding at least one
content element in different document, the different document being generated
based on the different binding specification, the content elements, and the layout
elements, the binding specification and the different binding specification are
stored separately from both the content and the layout elements.

Claim 19:

A medium storing a machine-readable program that:

- enables storage of a binding specification that includes bindings that describe a
document by associating individual content elements with individual layout
elements for the document, the layout elements defining layout features or
placement information to be applied to the associated content elements,

- combines the content elements and the layout elements according to at least one

   binding included in the binding specification to generate the document based on

   the binding specification, the content elements and the layout elements, where

   the binding specification is stored separately from both the content and the layout

   elements.

Claim 20:

A medium storing a machine-readable program that:

- enables storage of a binding specification that describes a document by

   associating individual content elements with individual layout elements for each

   document, the layout elements defining layout features or placement information

   to be applied to the associated content elements,

- combines the content elements and the layout elements according to at least one

   binding included in the binding specification to generate the document based on

   the binding specification, the content elements and the layout elements,

- enables storage of a different binding specification including at least one binding,

   the different binding specification describing another, different document by

   associating at least one of the individual content elements with at least one of the

   individual layout elements, the at least one layout elements defining layout

   features or placement information to be applied to the corresponding at least one

   content element in different document, the different document being generated

   based on the different binding specification, the content elements, and the layout

elements, the binding specification and the different binding specification are stored separately from both the content and the layout elements.

9.   Claims 1-11, 19-20, 45-49, 54-55 are allowed.

10.   The following is a statement of reasons for the indication of allowable subject matter: combining content elements and layout elements according to at least one binding included in the binding specification to generate a document based on the binding specification, the content elements, and the layout elements where the binding specification describes how to associate the content elements with the layout elements and where the binding specification is stored separately from both the content elements and the layout elements.

Conclusion

11.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Mathews (US Pat No. 6,041,303, 3/21/00, filed 6/6/97).

Sato et al. (US Pat No. 6,014,680, 1/11/00, filed 8/29/96).

Rosenlund et al. (US Pat No. 6,738,155 B1, 5/18/04, filed 7/30/99).

Mohr et al. (US Pat No. 6,826,727 B1, 11/30/04, filed 11/24/99).

Gupta et al. (US Pat No. 6,826,534 B1, 11/30/04, filed 3/10/00).

McCauley et al. (US Pat No. 6,631,498 B1, 10/7/03, filed 11/18/98).

Kanerva et al. (US Pat No. 6,507,858 B1, 1/14/03, filed 2/25/98, priority 5/30/96).

12.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is 571-272-4125. The examiner can normally be reached on Mon-Fri (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Cong-Lac Huynh
Examiner
Art Unit 2178
07/28/05